

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SARAH HORTON,

Plaintiff,

v.

TSI FENWAY, INC. d/b/a BOSTON
SPORTS CLUBS,

Defendants.

Civil Action No. 04-CV-12359-MEL

LOCAL RULE 16.1(D)(3) CERTIFICATE

The undersigned hereby certify that Defendant TSI Fenway, Inc. and its counsel have conferred (a) with a view to establishing a budget for the costs of conducting the full course (and various alternative courses) of this litigation; and (b) to consider the resolution of the litigation through the use of alternative dispute resolution programs, such as those outlined in Rule 16.4 of the Local Rules of this Court.

TSI FENWAY, INC.

By their counsel



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TSI FENWAY, INC.

By:



Robert Herbst, General Counsel

Dated: April __, 2005